

SCPD POLICY AND LAW COMMITTEE MEETING MINUTES
APRIL 13, 2017 – 1 PM
SMYRNA REST AREA - SMYRNA, DE

Members Present: Daniese McMullin-Powell, SCPD, Co-Chair; Kathie Cherry, GACEC (for Wendy Strauss); Moni Edgar, CAP; Brian Hartman, DLP; Pat Maichle, DDC; John McNeal, SCPD Staff; and Amber Rivard, Support Staff.

CALL TO ORDER

Daniese called the meeting to order 1:36 PM.

ADDITIONS OR DELETIONS TO THE AGENDA

- ACA Update
- S.B. 910 (Disability Integration Act)

APPROVAL OF MINUTES

Brian made a motion to approve the March 9, 2017 minutes and Pat seconded the motion. The March 9th minutes were approved as submitted.

REVIEW OF REGULATIONS AND LEGISLATION

1. DFS Prop. Family & Lg. Family Child Care Homes Reg. [20 DE Reg. 775 (4/1/17)] – Brian made a motion to share observations with the Division and share a copy with the State Fire Marshall and Architectural Accessibility Board. Pat seconded the motion and motion carried.

2. DPH Proposed DMOST Regulation [20 DE Reg. 770 (4/1/17)] – Brian made a motion to endorse the proposed regulation and Pat seconded the motion. Motion carried. Pat commented about the difficulty in changing the forms when someone changes their gender; Brian noted that the form would have to be revised if changing the address or telephone number.

3. DOE Prop. Instructional Program Requirements Reg. [20 DE Reg. 752 (4/1/17)] – Brian made a motion that the Council write a letter saying that the Council reviewed the initiative and did not identify any concerns. Pat seconded the motion and motion carried.

4. DOE DIAA High School Interscholastic Athletics Reg. [20 DE Reg. 762 (4/1/17)] – Brian made a motion to share observations with the DIAA and the DOE Special Education Director. Pat seconded the motion and motion carried.

5. DLTCRP Prop. Neighborhood Home Reg. [20 DE Reg. 766 (4/1/17)] – Brian made a motion to share observations with the DLTCRP and DDDS, and share a copy with the State Medicaid Director. Pat seconded the motion and motion carried. Under 6. The underlined words should be

added: “....submission of building and renovation plans only to DHSS.”

6. H.B. No. 90 (Early Voting) – Brian made a motion to endorse the proposed legislation contingent upon incorporation an amendment. Pat seconded the motion and motion carried. Brian noted that he emailed his draft comments to Elaine Manlove, Election Commissioner, and is waiting for a response from her.

7. H.B. No. 63 (Absentee Voting) – Brian made a motion to endorse the proposed legislation and share a copy with the Elaine Manlove, Election Commissioner. Pat seconded the motion and motion carried. John commented asked about voter fraud outcry in Delaware and why Delaware would not want to extend it, thereby bringing broader access to voting.

8. H.B. No. 100 (Substance Abuse Treatment) – Brian made a motion to endorse the proposed legislation while noting that policymakers could also consider supplemental approaches to addressing denials of substance abuse treatment and share a copy with the Attorney General. Pat seconded the motion and motion carried. Last sentence in second amendment add word underlined: “...potential conflict also arise in the following contexts”.

9. H.B. No. 70 (Cursive Writing) – Brian made a motion to endorse the proposed legislation subject to consideration of one clarifying amendment by inserting “and charter school board of directors” after “board of education) in line 6. Pat seconded the motion and motion carried. John commented about the various places where a signature is required, including, license, identification card, hospitalization, etc. Brian added that any identifying mark counts as a signature, including an “x”, in the Delaware Code.

10. H.S. No. 1 for H.B. No. 85 (Charter Schools) – Brian made a motion to share observation with policymakers and endorse H.S. No. 1 for H.B. No. 85 if amended by H.A. No. 1. and share courtesy copies with the DOE, Delaware State Education Association, the Attorney General, and the ACLU. Pat seconded the motion and motion carried. There was discussion about the low percentages of Special Education, White and Low Income Students enrolled in charter schools compared to higher percentages in Christina and Red Clay School Districts. Other preferences of charter schools were discussed. Other school districts statistics were also discussed. Low graduation in Christina School District were also discussed.

11. H.B. No. 83 (DelDOT Right of Way Maintenance) – Brian made a motion to share observations with policymakers. Pat seconded the motion and motion carried. As an addendum, Brian stated that the SCPD submitted an advance set of conforming comments for consideration at the March 21 hearing of the Transportation, Land Use, and Infrastructure Committee. The bill was tabled in committee. There was discussion on Right of Way Maintenance and clarity of responsibility and this legislation enabling the county government to enact an ordinance that concerns the maintenance of sidewalks in residential subdivisions.

OTHER BUSINESS

American Health Care Act Update

Pat spoke about an email she forwarded from Alison Barkoff requesting people to contact our federal congressional representatives about voting against the American Health Care Act, do not allow Medicaid to be gutted and caps on block grants would disseminate the program on which people with disabilities rely on for critical health care services and do not allow states to opt out of health care plans for basic health care and keeping it affordable for people with disabilities. She encourages using social media, town halls and making phone calls. Daniese noted that Community First Choice Option and Money Follows the Person Programs are under the Affordable Health Care Act.

S.B. 910 (Disability Integration Act)

Daniese spoke about this federal legislation, introduced by Senator Schumer. This legislation affects anyone receiving long term care services supports and has a civil right to live in the community. The co-sponsor is Senator Bob Casey.

ANNOUNCEMENTS

None

ADJOURNMENT

The meeting was adjourned at 2:46 pm.

Respectfully submitted,

Jo Singles
Support Staff

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